

II. Remarks

Reconsideration and reexamination of this application in view of the above amendments and following remarks is herein respectfully requested.

After entering this amendment, claims 1, 3-13 and 20 remain pending with claims 7-13 and 20 being withdrawn. Claims 14-19 are cancelled herein without prejudice.

Rejections - 35 U.S.C. § 102

Claims 1-3 and 6 were rejected as being anticipated by Benzinger. Claims 1-3 and 5-6 were rejected under 35 U.S.C. § 102 as being anticipated by Woodhall, Jr. et al. or as being anticipated by Bhatti et al. Claims 1, 2, 5 and 6 were rejected under 35 U.S.C. § 102(b) as being anticipated by Saperstein. Finally, claims 1-3 and 5 were rejected under 35 U.S.C. 102(b) as being anticipated by Inaba et al. Applicant respectfully traverses these rejections.

Regarding Benzinger and Woodhall, Jr., the examiner states that all of the claimed features are found in the cited references and that by merely rotating the cited references 90 degrees clockwise the orientation limitations of the claims are met. It is respectfully submitted that Benzinger and Woodhall each lack limitations found in the current claims. Once so rotated, Woodhall specifically lacks an impermeable baffle in the upper manifold and Benzinger specifically lacks a liquid communication path defined along the length of the lower manifold.

Regarding Saperstein and Bhatti, Saperstein lacks and permeable baffle in the lower manifold and Bhatti lacks a lower baffle including portions defining a liquid only passageway such that only liquid is allowed into a second pass. In Bhatti, no liquid communication path is defined along the length of the lower manifold and gas is readily permitted to enter into the second pass of that heater core, contrary to the present invention.

Regarding Inaba and Figure 7 thereof particularly cited by the examiner, nothing in the discussion or the drawings of Figure 7 suggest that a permeable baffle is provided in the lower manifold such that a liquid only passageway is defined allowing liquid to enter the last pass. Further, nothing in Inaba suggests that the

lower manifold defines a liquid communication path along the length of the lower manifold.

In view of the above, it is respectfully submitted that the rejections under 35 U.S.C. § 102 are moot and should be withdrawn.

Claim Rejections - 35 U.S.C. § 103

The examiner rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Inaba et al in view of Burk et al. Applicant respectfully traverses this rejection.

The comments presented above with regard to Inaba are equally applicable to the present rejection and examiner's attention is directed to the prior comments made in connection therewith. Burk is cited for disclosing a condenser comprising a pair of opposed manifolds a plurality of tubes and extended surfaces and an internal dryer. Burk however fails to disclose the deficiencies previously noted in Inaba and, accordingly, the combination of Inaba in view of Burk lacks the noted elements of the claims. For this reason, the rejection under 35 U.S.C. § 103(a) should be withdrawn.

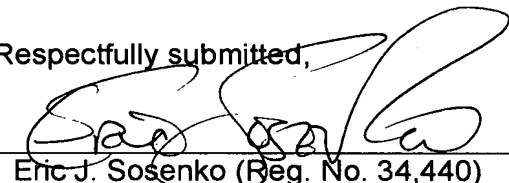
Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

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Date

Respectfully submitted,



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